

### **REMARKS**

This paper is responsive to the Office Action identified above and below, and in any other manner indicated below.

### **INFORMATION DISCLOSURE STATEMENT AND FORM PTO-1449 LISTING REFERENCE(S) CITED IN RELATED APPLICATION(S)**

Submitted herewith under separate cover letter is an Information Disclosure Statement together with Form(s) PTO-1449 listing reference(s) of record in the ancestor application(s) for Examiner initialing to make such art of record in the present application.

### **PENDING CLAIMS**

Claims 12-31 were pending for consideration and examination in this application. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply re-clarified claims in which Applicant is presently interested. At entry of this paper, un-amended Claims 12-31 remain pending for further consideration and examination in this application.

### **REJECTION UNDER '112, 2ND PAR. OBVIATED VIA CLAIM AMENDMENT**

Claims 19-20 and 29-30 have been rejected under 35 USC '112, second paragraph, as being indefinite for the concerns listed within the section numbered "2" on page 2 of the Detailed Action section of the Office Action. Claims 19-20 and 29-30 have been carefully reviewed and carefully amended where appropriate in order

to address the Office Action listed concerns. As the foregoing is believed to have addressed all '112 second paragraph concerns, reconsideration and withdrawal of the '112 second paragraph rejection are respectfully requested.

### **REJECTION UNDER 35 USC §103**

The 35 USC §103 rejection of Claims 12-18 and 22-28 as being unpatentable over Lawler *et al.* (U.S. Patent 5,585,838) in view of Bruette *et al.* (U.S. Patent 5,828,419), and further in view of the VideoGuide User's Manual, Part # 030-10011, Revision 1.0, 1995 (page 12), is respectfully traversed. Applicant respectfully submits the following to traverse such rejection.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated herein by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following.

Independent ones of Applicant's claims 12-18 and 22-28 recite, for example (independent Claim 12), a digital broadcasting **RECIEVER (e.g., a set-top box)** including **"an omission display controller which omits a part of a character information extracted from the program information when a number of characters in the character information of the particular program is larger than a number of characters which can be displayed in a first prescribed zone indicative of a prescribed time period attached to a last tail part of the menu"**. **One very important aspect to note, is that with Applicant's invention, the**

**“omitting” takes place at the RECEIVER (e.g., set-top box) end.** The cited Lawler *et al.*/Bruette *et al.*/VideoGuide User’s Manual references further fail to teach or suggest such feature of Applicant’s claimed combination invention, and in fact, **teach in any opposite direction** and/or are just plain vague.

Turning first to rebuttal of the primary, i.e., Lawler *et al.*, reference, Office Action comments appear to contend that Lawler *et al.*’s FIGS. 1-2 interactive controller 18 itself **“omits a part of a character information extracted from the program information when a number of characters in the character information of the particular program is larger than a number of characters which can be displayed in a first prescribed zone indicative of a prescribed time period attached to a last tail part of the menu.”** **Strong traversal is appropriate, because the Examiner’s assumption IS WRONG and Lawler *et al.* teaches otherwise.**

More particularly, Lawler *et al.* analysis/disclosure is as follows: Lawler *et al.*’s “interactive station controller 18” (FIGS. 1-2) is somewhat similar to Applicant’s “receiver” (e.g., set-top box). Lawler *et al.*’s interactive station controller 18 cooperates with Lawler *et al.*’s “head end 12” (FIG. 1) which is located at the service provider’s remote location (i.e., remote from the end user’s and interactive station controller 18’s location). One of the items that the interactive station controller 18 and head end 12 cooperate about is program information. That is, Lawler *et al.*’s FIGS. 10a-10c show schematic illustrations concerning memory information that is stored at the head end 12, the interactive station controller 18, and further shows information shown on the display. In greater detail, the relatively large amount of program schedule information available at the head end data base is represented by the largest window 142, a SUBSET of that information that is also stored in the

memory at the interactive station controller is represented by the middle-sized window 144, and the even smaller subset of that information that is displayed in the program grid is represented by the small window 146 (see Lawler et al. column 15, line 58+).

Regarding a program grid display, Lawler et al.'s FIG. 3 shows a programming grid 80, and of special interest, shows a presently-selected (i.e., highlighted) "focus frame 102" block including a truncated title "Trailside: Make You ...", and further shows a "program summary panel 108" including the full title of the presently selected program block, i.e., "Trailside: Make Your Own Adventure ...". Under the Examiner's inherency assertion, Lawler et al.'s interactive station controller must initially receive the full title, i.e., "Trailside: Make Your Own Adventure ..." and store it into memory, and then must itself compare/omit characters to achieve the truncated block reading "Trailside: Make You ...". However, IF the Lawler et al. arrangement did initially receive and store the full title, then at a later time when a user subsequently selected (e.g., highlighted) the truncated "Trailside: Make You ..." block, the Lawler et al. interactive station controller 18 should **UNILATERALLY (i.e., BY ITSELF)** be able to retrieve the same **from its own memory** and then immediately display the full title, i.e., "Trailside: Make Your Own Adventure ..." within the program summary panel 108.

However, Lawler et al.'s column 10, lines 20-52 reads: "The program summary panel 108 can be used to provide a user with more detailed information about a selected program. Preferably the program identified by the focus frame 102 is the subject of the program summary panel 108. As the focus frame 102 is moved, the program summary panel 108 is updated to provide additional information about

the newly identified program. ...The program information in the illustrated program summary panel 108 is obtained upon request of the interactive station controller 18 from the head end 12." That is, it is clear from Lawler *et al.*'s explicit disclosure, that Lawler *et al.*'s interactive station controller 18 DOES NOT INITIALLY RECEIVE THE FULL TITLE (OR OTHER DETAILED INFORMATION), and instead, MUST SPECIFICALLY REQUEST SUCH DETAILED INFORMATION ONLY WHEN THE PROGRAM IS SELECTED IN A FOCUS FRAME 102.

It follows that Lawler *et al.*'s interactive station controller INITIALLY ONLY RECIEVES THE TRUNCATED TITLE FROM THE HEAD END 12 FOR THE BLOCKS FOR ITS PROGRAMMING GRID 80. It is respectfully submitted that the standard in the art at the time of Applicant's invention, was to only provide truncated-information blocks to receivers, just like that disclosed in Lawler *et al.* A rationale was to utilize small transmission bandwidth, and to utilize a small memory within receivers to reduce costs.

Thus, despite the Examiner's speculation (i.e., "inherency"), Lawler *et al.* explicitly teaches away from Applicant's invention, i.e., teaches the prevalent standard in the art to perform pre-truncating of titles BEFORE transmission to the receivers.

Turning next to Bruette *et al.*, such secondary reference does nothing to cure the major deficiency mentioned above with respect to the Lawler *et al.* reference. More particularly, Bruette *et al.* appears to have been cited for allegedly disclosing/suggesting use of a "video decoder" and a "on screen display generator" into Lawler *et al.*'s arrangement. Beyond the above, Bruette *et al.*'s disclosure almost completely deals with arrangements to add icons (e.g., a lock icon or a

checkmark icon) to Bruette et al.'s television program guide. While Bruette et al.'s FIG. 3 displays a title "Daddys Dyin' Whose Got..." including a "..." notation, Bruette et al.'s disclosure provides absolutely no additional description or disclosure regarding the "..." notation. Accordingly, it cannot be determined whether the "..." notation is one of truncation, or is part of the original title of the program. In any event, given that Lawler et al.'s FIG. 3 already discloses a "..." notation, it is respectfully submitted that Bruette et al. adds little (if anything) in support of the rejection.

Regarding the VideoGuide Users Manual reference, such reference is just simply **too vague to teach or suggest anything**. More particularly, it is respectfully noted that the VideoGuide Users Manual is **nothing more than a STRIPPED DOWN USER'S MANUAL**, with **absolutely no disclosure of the detailed inner workings of the VideoGuide system**. Again, although the VideoGuide manual does illustrate some types of menu features, there is **never explicitly described the where/how/when these menu items are formed**, *i.e.*, at best, there is only a "black box" type of disclosure. Just as it was wrong for the Examiner to speculate about how/where the Lawler et al. menu items were formed, **it is equally as wrong for the Examiner to speculate about how/where the VideoGuide menu items are formed**.

If one were to speculate, it is respectfully submitted that logical reasoning would tend to show that the VideoGuide arrangement likewise would have implemented the prevalent standard in the art to perform pre-truncating of titles BEFORE transmission to the receivers. More particularly, it is known within the art that the *circa* 1995-96 VideoGuide system broadcasted/received television

scheduling via radio frequency (RF) transmitters operating using national pager bandwidth. That is textual information regarding a television schedule was "paged" to the VideoGuide box. Given that pager bandwidth was and expensive and scarce commodity in *circa* 1995-96, it is respectfully submitted that the VideoGuide arrangement almost certainly would have pre-truncated titles BEFORE transmission to the receivers.

In any event, certainly there is no comparator or comparing process disclosed anywhere within the VideoGuide disclosure. In short, any attempt to characterize where/how/when the VideoGuide menu items are formed would be pure speculation, which is inappropriate/insufficient to support a §103 type rejection. As a final note, given that Lawler et al.'s FIG. 3 already discloses a "..." notation, it is respectfully submitted that VideoGuides' "..." notation adds little (if anything) in support of the rejection.

Discussion regarding one other reference is are worthy of note. More particularly, the Alten et al. reference (cited in co-pending application 09/418,822), like Lawler et al. similarly discloses tuncation (i.e., omission) PRIOR TO SENDING. More particularly, Alten et al.'s column 30, line 42, through column 31, line 13, states (in relevant part), "One of the novel features of the disclosed invention is the textfit system. The preferred embodiment of the textfit system includes an interactive computer program used to edit the program listings data BEFORE it is transmitted to the user and stored in memory. ...the data processor first analyses the listings data to determine what grid size listings are needed for each title. Thus, a two hour movie could require four different edited titles to fit into each of the four different size grid cells (30, 60, 90, 120 minutes). ...The

editor is then queried to alter the title so that it will fit in the allotted space. If the title must be edited for more than one cell size, the editor is queried to edit each of them separately." Thus, Alten *et al.* (like Lawler *et al.*) **explicitly teaches away from Applicant's invention**, i.e., teaches the prevalent standard in the art to perform pre-truncating of titles BEFORE transmission to the receivers.

As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a §103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of any art rejections, and express written allowance of all present claims, are respectfully requested.

### **REJECTION UNDER 35 USC §103**

The 35 USC §103 rejection of Claims 19-21 and 29-31 as being unpatentable over Coleman *et al.* (U.S. Patent 5,844,620) in view of Bruette *et al.* (U.S. Patent 5,828,419), is respectfully traversed. Applicant respectfully submits the following to traverse such rejection.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated herein by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following.

Independent ones of Applicant's claims 19-21 and 29-31 recite, for example (independent Claim 19), a digital broadcasting **RECIEVER (e.g., a set-top box)**



including **“a full display controller to control display, in a second prescribed zone, of a program start time and a program end time of a program of a selected background information block whose background information block is changed in shape in the first prescribed zone by the display change controller, wherein the full display controller controlling display of the program start time and program end time to occur CONCURRENTLY TOGETHER WITH the selected background information block on a same display WHENEVER THE SELECTED BACKGROUND INFORMATION BLOCK IS SELECTED”**. Applicant's FIG. 9 illustrates the start/stop times in second prescribed zone 601, responsive to the shape-changed background information block 503<sub>2</sub> being selected.

It is **important to note that the start/stop times are displayed within the second prescribed zone 601, concurrently together with the selected background information block, whenever a shape-changed background information block is selected**. Such arrangement is advantageous in that **all information (including start/stop times) is concurrently displayed on a same screen**, such that a user does not have to scroll to hunt for any starting time or stopping time which extends off of a present display.

Coleman *et al.* and Bruette *et al.* fail to teach/suggest such feature/limitations. For example, Coleman's *et al.* arrangement would require scrolling to hunt for any starting time or stopping time which extends off of a present display.

As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a §103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and

withdrawal of any art rejections, and express written allowance of all present claims, are respectfully requested.

### **RESERVATION OF RIGHTS**

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, *i.e.*, Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

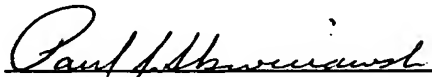
### **EXAMINER INVITED TO TELEPHONE**

The Examiner is invited to telephone the undersigned at the local D.C. area number of 703-312-6600, to discuss an Examiner's Amendments or other suggested action for accelerating prosecution and moving the present application to allowance.

### CONCLUSION

To whatever extent necessary, Applicant respectfully petitions the Commissioner for an extension under 37 CFR §1.136. A Form PTO-2038 authorizing payment of fees (including the Petition fee) may be attached. Please charge any actual deficiency in fees to ATS&K Deposit Account No. 01-2135 (referencing Case No. 500.35360CX2).

Respectfully submitted,



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Paul J. Skwierawski  
Registration No. 32,173  
ANTONELLI, TERRY, STOUT & KRAUS, LLP  
1300 North Seventeenth Street, Suite 1800  
Arlington, Virginia 22209-3801, USA  
Telephone 703-312-6600  
Facsimile 703-312-6666